

## **Community District Education Council District 26**

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### **MINUTES OF THE BUSINESS/PUBLIC MEETING**

**Date:** Thursday, March 27, 2008

**Time:** – 7:00 P.M.

**Location:** MS 67- 51-60 Marathon Pkwy, Little Neck, NY, Room B44A

The meeting of the Community District Education Council of District 26 (CDEC26) was called to order by Rob Caloras, President, CDEC at 7:10 p.m.

Attendees: Robert Caloras, Irene Cheung, Erik DePaula, Patrick McShane, Michael Kaleda, Jeannette Segal & Vince Tabone

Excused - Minkyung Lee, Irene Fennell, Dr. Lana Zinger & Marie Pollicino

Present – Anita Saunders, Community Superintendent, Lori Butera – District Family Advocate – Ewel Napier, Education Council Specialist

#### **Secretary's Report –**

1. Rob asked if everyone had a chance to read/review the February 28th minutes or make corrections. Rob made a motion to adopt the minutes as is and Patrick seconded. Members voted unanimously to accept the minutes.
2. Marian informed council members that their activity sheets for March is needed and any expenses should be put through for signature.  
Marian also informed the council members that at the April 17<sup>th</sup> meeting the Ballroom Dancers will be performing at MS 74, 7 p.m. and the business meeting will take place thereafter.
3. Rob informed the council members that if they were going to be absent to kindly e-mail Marian for the records.

#### **President's Report – Rob Caloras**

- E-mails during the month – asking members to read and respond back as quickly as possible.
- Thanked council members for going to schools
- Newspaper coverage –Chancellor soliciting education councils for their input regarding those programs that are being cut. Ewel Napier spoke on the Gifted & Talented programs. Some reporters interested in the “Hold Harmless” category. Rob stated that the Chancellor would be dipping into the “Hold Harmless” category to fill the budget gap. Chancellor not sure if he will cut across the board or take from the schools.
- Rob stated that he has attended three (3) PTA meetings (178-115-162) after coordinating with the parent coordinators and asked to discuss the budget cuts as well as the school governance issue. Will be presenting in April to two other

schools. Rob stated that he has prepared a package if any other member wanted to go and present.

- Rob informed the attendees that the Chancellor will be speaking April 7<sup>th</sup> at the CEC President’s monthly meeting. Rob will be presenting on the budget cuts at this meeting.
- Handouts distributed to council members of notes from Rob regarding the school governance issue. Final report will be presented at a later date after everyone has had a chance to review and comment. Once finalized, copies will be sent out to Nolan, Chancellor Klein and etc.
- Letter from Senator Padavan to thank the council for a copy of the letter which was sent to Ms. Grimm & Chancellor Klein regarding the budget. Awaiting Ms. Grimm’s & Chancellor Klein’s response.
- Received a letter from Assemblywoman Nolan regarding the Gifted & Talented which was sent also sent to the Chancellor.

**Treasurers Report – Irene Cheung – read the balance of each account**

EXPENDITURE CATEGORY	QUICK CODE	OBJECT CODE	ACTIVITY CODE	LOC CODE	AMOUNT SCHEDULED	EXPENDED TO DATE	BALANCE
General Supplies	014648	198	0522	QS26	11,000	1,881	9,119
P-Card	014648	198	0523	QS26	1,000	1,000	0
Copier Equipment	014648	315	0532	QS26	2,400	2,320	80
Telephone Services	014648	402	0524	QS26	100		100
Local Travel & Food Exp.	014648	451	0525	QS26	1,900	1,012	888
Stipend Reimbursements	014648	496	0526	QS26	2,000	787	1,213
Maintenance of Equipment	014648	612	0527	QS26	1,600		1,600
<b>TOTAL</b>					<b>20,000</b>	<b>7,000</b>	<b>13,000</b>

These are the changes that will be made:

	Balance as of 3-12-08	Transfer	To
General Supplies (198)	\$ 9119	1200	Code 686 (Other
Consultants) for Website			
General supplies (198)		7919	P-Card
Copier	80	80	P-Card
Telephone	100	100	P-Card
Maintenance	1,600	1600	P-Card
Local Travel & food expenses	888	100	P-Card
Stipends	\$ 1,213	0	
Total	<b>\$13,000</b>		

Every member given a copy of the budget modifications. Irene made a motion to accept the budget changes and Patrick seconded. Council members voted unanimously to accept the budget modifications. Rob reiterated that the members kindly attend the UFT Scholarship Dinner Dance (May 8<sup>th</sup>) because they will get reimbursed.

Marian informed the council members that the April 17<sup>th</sup> meeting will have the Ballroom Dancers and it will be at MS 74 starting at 7 p.m. and the business meeting will take place thereafter.

**New Business**

Rob informed the members that the PTA's have been signing off on this resolution. Rob asked the members have they had a chance to review it.

**COMMUNITY DISTRICT EDUCATION COUNCIL 'S RESOLUTION  
DEMANDING THAT THE MAYOR, THE GOVERNOR AND THE STATE  
LEGISLATURE KEEP THEIR PROMISES TO OUR CHILDREN  
COMMUNITY DISTRICT EDUCATION COUNCIL OF DISTRICT 26**

**WHEREAS**, the Governor and the State Legislature promised a \$528 million increase to New York State's basic operating aid to New York City (also called "foundation aid") for 2008-09, but the proposed Executive Budget cuts this amount to \$335 million; and

**WHEREAS**, the Mayor committed to raise New York City's investment in our children's education by \$2.2 billion over four years, but is taking back \$180 million this year with \$100 million coming right out of the classrooms and cutting an additional \$324million next year, for a two year total of more than one-half billion dollars; and

**WHEREAS**, New York State committed to increase building funds for New York City by \$11.2 billion to allow the City to complete its \$13.1 billion capital plan to construct and repair schools, but now this promise is threatened by proposed reforms that would delay the state reimbursement to the City for school construction costs; and

**WHEREAS**, the State Legislature, the Governor, the City Council and the Mayor must Keep the Promises to our school children;

**THEREFORE BE IT RESOLVED THAT**, we demand that the Governor and State Legislature KEEP THE PROMISE and restore the missing \$193 million in foundation aid. These funds are supposed to be tied to the Contract for Excellence which is the only real accountability mechanism we have to ensure that funds go to reduce class size, reform middle schools and high schools, provide for the needs of English Language Learners and achieve other fundamental school reforms; and

**BE IT FURTHER RESOLVED THAT**, we demand that the Mayor and the City Council KEEP THE PROMISE by restoring the half billion dollars in cuts for this year and next; and

**BE IT FURTHER RESOLVED THAT**, we demand that the Governor and State Legislature KEEP THE PROMISE to increase building funds by \$11.2 billion to allow the City to construct and repair school buildings at a pace that will matter for our students in the immediate future.

Adopted by the CDEC of **DISTRICT 26** this 27 day of March **2008**.

Rob made a motion to accept the resolution and Patrick seconded. Council voted unanimously to adopt.

### **Old Business**

1. Erik gave an update with regard to the CDEC's motion to intervene in the appeal to the NY State Commissioner of Education with regard to the Chancellor's amendment of Regulation A-655. Erik advised that we were still waiting for a decision from the Commissioner as to whether our motion to intervene would be allowed. He also advised that the only recent activity with regard to this proceeding was a copy of letter that he received from the City Law Department. It was a letter to the NY State Commissioner in which the city argued that Mr. Melvin Meer did not have standing to intervene in the action as an SLT member because he had been removed from his SLT by the SLT members. Erik advised that I subsequently received a copy of a letter from Mr. Meer to the Commissioner in which Mr. Meer alleged that he still had standing because he had been suspended, not removed, from his SLT. That was the extent of the update.
2. Rob stated that we have not been given permission to supply the schools in D26 with paper to enable them to make copies of notices that we send out. There was a glitch in the wording that was sent in but Rob sent in an amendment and no word as of yet. Rob feels that until we are told that we should go through with ordering it. Rob will send a final letter to Mr. Brawer and a copy will be sent to Ewel Napier.
3. Irene attended the DOE Workgroup Monthly Meeting at Tweed on 3/25/08. There were over a dozen CDEC members from different boroughs who attended the meeting with Martine and Jacqui. The topic was about "Middle School Success". All the attendees were sharing their ideas in contributing to developing the new policy towards the "Middle School Success". Irene Cheung asked the council members to address their ideas on this issue by email to Jacqui. Rob asked our visitor Mr. Walter Acham-HS Principal – Jamaica H.S what the CDEC's should recommend to the Chancellor to help 8th graders be prepared to go to high schools.

- a. Mr. Acham stated that he gets parents involved and attend open school. They also have 8<sup>th</sup> graders attend freshman night and get acquainted.
4. Vincent did a school visit at PS 158.

***Superintendent's Report*** – Anita Saunders

1. MS 74 – New York State Competition
  - ✚ Math Counts Team – 3<sup>rd</sup> Place
  - ✚ Kevin Peng – 8<sup>th</sup> grader – 1<sup>st</sup> Place & will represent New York State at National Competition in Denver, Colorado in May
2. MS 67 – Citywide Math Counts Competition – 2<sup>nd</sup> Place
  - ✚ Aline Thomas Bird Literacy Contest – 1<sup>st</sup> Place
  - ✚ Citywide Scholastic Art Competition – 2<sup>nd</sup> Place
  - ✚ Bronx International Math Tournament - 1<sup>st</sup> Place for 6<sup>th</sup> & 7<sup>th</sup> grades
3. MS 216 – Science Olympiad – New York City Champs
4. PS 26 – Raised \$650.00 to send to the Darfur Schools Project
5. DCEP 2007-2008: Review – Goals & Objectives (will be discussed at next meeting)
6. Learning Environment Survey - Lori Butera
7. PS/IS 266 Lottery – April 1, 2008
8. All designated English Language Learners (ELL) must take and pass NYSESLAT Exam – April – May
9. Universal pre-Kindergarten (UPK) Applications
  - ✚ Will be available, Friday, March 28, 2008
  - ✚ Must be returned and postmarked by April 18, 2008 – Registration will no longer take place in schools.

***Lori Butera*** – spoke on the surveys that have been distributed. 10% counts towards the progress report. Rob stated that several of the complaints on the survey that were lodged last year were not fixed (extra curriculum – smaller class size).

Anita informed the attendees that there will be a lottery at PS 266 April 1<sup>st</sup> in the A.M. and parents are welcomed to attend. These are for acceptances to PS 266 only.

Anita stated that all children who are designated English Language Learners must take & pass NYS English Language Exam which is being given April through May. Universal Pre-K applications will be in the schools on March 28<sup>th</sup> which must be completed and mailed in. There will be no in school registration.

Rob made a motion to adjourn the Business meeting and Patrick seconded. Council unanimously voted to adjourn at 8:10 p.m.

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## PUBLIC MEETING

Public meeting called to order at 8:25 p.m. by Rob Caloras, President, CDEC.  
Rob Caloras welcomed everyone to the CDEC 26 Public meeting.

Speakers – Mr. Acham – H.S. Principal of Jamaica High School

Came to promote Jamaica High School and talk a little about the school. Mr. Acham stated that he is a D26 person, previously Assistant Principal of Francis Lewis H.S. for two years. Became the principal of Jamaica H.S. since September, 2007. Informed the attendees that there are no district lines because students pick their schools based on curriculums. Have been going to meetings in D28, 29, 26, 25, visiting the SLT's & PTA's trying to get the word out that Jamaica H.S. is alive. There were issues of safety and security which has been addressed. Jamaica H.S. has added new curriculums and doing a lot more with student intervention. Would like to have everyone get the message to their constituents and have them get in touch with Mr. Acham who would come and speak to their parent groups. Will be hosting an open house and inviting everyone to attend.

Speaker – James Eterno – UFT Chapter Leader – also a social studies teacher (22 years). Feels that Jamaica H.S. has been getting a bad rap for years but things have changed. Jamaica H.S. now has a Law program and other new programs. There is a lot of school spirit.

Speaker – Mr. Emmanuel – Special Ed counselor – 3 years in Jamaica H.S. Spoke about management working with students.

Rob asked has the police presence (horse patrol) hindered or help? Is the police presence keeping the safety? Mr. Acham stated the police presence is to ensure safety passage since there are three high schools in the same locality to reassure that the students have order.

Rob asked if Jamaica H.S. has been deemed under-utilized according to the criteria and is it in the plan to fill it with another school within the school. Mr. Acham stated that they plan to fill the school with Jamaica H.S. students. They have added Queens Collegiate H.S. which will bring in about 900 students. The attendance is approximately 1500-1600 but the school is deemed for about 2000.

Anita stated that she has worked with Mr. Acham for several years and he knows about safety and how to get things done and always responsive to her e-mails & calls. Feels he is a committed & dedicated to the safety & education of the students.

Question asked about parent's involvement.

Mr. Acham stated that the PTA is very much involved with the school and is now working with the UFT. Parent support very positive.

Susan Shiroma sits on the council for Citywide High Schools and state that parents are coming to the meetings (Tweed) making a case for Jamaica High School.

Rob introduced the topic of “school governance”. Copies distributed to the council members to review and comment. An electronic copy will be typed up and mailed to members. Rob asked for thoughts on the school governance from the council members.

## **SCHOOL GOVERNANCE**

A general governance principal that has served our nation well is republicanism. This is that no one person shall rule the community; everyone shall have a part in the Public’s business. We have a representative republic that reflects this concept. We have separation of powers to ensure this principle is carried out. The founding fathers created the U.S. Constitution and imbued it with separation of powers with three branches of government that checked and balanced the power and authority if the other branch. This is a time consuming and not the most efficient system, but it is a brilliant one. This system has allowed the United States to be one of the longest running republics in the history of the world.

New York State and all other states adopted this system of separation of powers with checks and balances. New York City has no such system and, in the area of education, has a system that is dramatically opposed to the republican principle of governance. For the Mayor alone rules the Public’s education and no member of the community has a part in that rule.

The reasons for the Mayor being given this control are notorious. Suffice it to point out that the immediate predecessor system was deemed corrupt, inefficient and non-responsive. Legislators sought to remedy this by giving the Mayor what the current Mayor and other Mayors asked for, control and accountability over the New York City Public Education system.

Unfortunately, but sadly typical, the Legislators handing over of control to the Mayor failed to consider that several District thrived under the previous system – District 26 being one. The Legislators also failed to realize and consider that the May had plenty of power under the previous system as a result of his (we’ve only had male mayors) control over the City’s budget. These realities must be factored into the review of the current system.

Also to be factored in, is the power given to the Mayor of New York City by Judicial case law. The case of the Council of the City of New York vs. Michael R. Bloomberg, **6NY3L 380** (Court of Appeals, N.Y. 2006) ruled that the Mayor acted within scope of his authority when he refused to abide by an anti-discrimination statute passed over his veto by the New York City Council. This case, in effect, over-ruled 200 years of laws that gave the Judiciary the power to review the validity of actions taken by the branches of government. This case ended the practice of separation of powers and checks and balances used since 1802, as settled in the U.S. Supreme Court case of Marbury vs. Madison. This New York case gives the Mayor the authority to not

enforce a law or regulation, passed by the duly elected members of the New York City Council, that he or she believes is unconstitutional or violates a state or federal law.

This authority was used by the Mayor when he refused to adhere to the City Council Law that sought to end the ban on cell phone possession at New York City Public schools. The Mayor claimed this law violated the State Law on Municipal Home Rule that requires a referendum for legislation that “curtails any power of an elective officer.” The City Council will have to bring a successful lawsuit to get the Mayor to enforce the law. This is a result of the Court of Appeals case discussed above that changed the old system of checks and balances that would have forced the Mayor to abide by the law and bring the lawsuit seeking to have the law invalidated. Any law regarding New York City School governance must consider this authority of the Mayor.

By ignoring the authority inherent in the Mayor’s office, the current system failed to provide effective assurances of checks and balances and republican principles of governance. The weak checks in place, the Education Panel, Community District Education Councils and Community District Superintendents, have proven completely ineffective. Members of the Education Panel risk dismissal if they mention discord with the Mayor.

Community District Education Councils have not been utilized as sources of information on community needs and their advice on education matters is either not sought or ignored.

Community District Superintendents have been given responsibilities that keep them out of their District 85% of their time, often traveling from one borough to another.

While avoiding the Governance laws’ limited check on his power, the Mayor has embarked on the most destabilizing policies in the history of New York City’s Public Education system. Two major re-organizations of the school structure have been instituted. From a Region system comprised of Districts to a single school system within five years. Just when the first re-organization was settling in and being understood, the Mayor changed course and instituted a new organization system. The two are well known and do not require detailed description, however, it must be noted that neither re-organization was preceded by meaningful community or non-DOE input. The Chancellor announced the policy change desired and then conducted public hearings. CDEC 26 conducted hearings and offered recommendations; no response was given by the DOE to these and no change to the policy was effected as a result of the public hearings.

In a similar manner, a new funding formula was devised and announced by the Mayor and Chancellor. CDEC 26 had hearings and made recommendations. In only a recommendation that was also pursued by the United Teacher’s Federation was adopted in the final plan. This one concerned school’s being held to charge against the school’s budget and teachers’ salaries.



There were also the policies regarding Progress Reports and the increase of standardized tests and reliance upon them. Again, no effective check or balance on these major policy changes, in the face of much opposition and criticism. In the most telling example, the Department of Education created the office of the Chief Family Engagement Officer without seeking Community District Education Council's advice. In fact, the Chief was appointed without any CDEC input or the input from any parent organization. How paradoxical, appointing a person to serve as a liaison to parent organizations without consulting those organizations.

In sum, it is the finding of CDEC 26 that no significant change has occurred to a significant policy of the DOE as a result of the public hearing process. Nor has there been any such change as a result of the mechanisms in place in the current law that are to designed to check and balance the Mayor's authority. Consequently, the current law is devoid of an effective check on the Mayor's authority.

This authority is also without a mechanism to hold the Mayor accountable for his/her performance. It is too easy to excuse lackluster results in the Mayor's first term due to insufficient time for policies to work. Also, too few in the electorate understood education issues in a way to question and understand the enormous data put out that is supposed to track students' performance. Data that is often self-contradictory or divergent from non-DOE data. Thus, the vote for a Mayor's second term cannot be a referendum on education issues. Then, in the second term, as a term-limited official, the Mayor need heed no voice but his/her inner one. Such lack of accountability is frightening in light of the level of control given and cannot continue.

CDEC 26 firmly believes that improving the New York City Education system requires paying attention to the proposals and ideas from those closets to the system – the students, parents, teachers and administrators. The current system does not institute this and allows the Mayor to ignore these vital members of the education community. The system also lacks any check or balance or accountability method on the Mayor's control. Coupled with the case law in New York State, the current school governance is by dictate. Policies are implemented at the Mayor's will and whim.

The current system is devoid of any ability to offer and impose upon the Mayor the need to vet policies for their efficacy prior to implementation and thereafter. During the past five years, several elected officials, school principals, district superintendents, parent leaders and media people have stated that they have been ignored by members of the DOE and the Mayor on education issues. If not these members of the education community, to whom does the Mayor seek advice on education matters? The system must be changed to impose republican principles. The education of our children is too important to be decided by one person. The budget of this system

is too large to be decided by one person. Checks and balances must be instituted on the Mayor's control.

To effectuate needed changes, the CDEC 26 offers the following as possible changes to the School Governance:

1. Give the City Council oversight of the DOE. This must be equal to its oversight of other city agencies.
2. Create 5 separate Department of Education, one in each borough. Each with a Chancellor who shall be appointed by the Mayor upon the advice and consent of the City Council and the Borough President of the effected borough.
3. Increase authority of the Community District Superintendent and also the Chancellor of the Borough will appoint this person, upon the advice and consent of the District's Education Council.
4. Give Borough President control over an aspect of education for Borough, e.g. transportation. This must involve a budgetary matter.
5. Do not re-create School Boards. An effective check on Mayor's control cannot depend upon volunteers. There is insufficient time for volunteers to become sufficiently competent to become effective advocates in opposition to Mayoral dictates.

Non-paid volunteers cannot effectively counter the ability of a Mayor supported by full-time paid officials. An effective balance must come from full-time, paid professionals, e.g. City Council members.

Regardless of the acceptance of any of the above, the current system must change. The system has wrought many changes; however, it is unclear as to the actual results achieved. At this point, there is no clear position on student achievement.

City, State and Federal test results differ. There are also different results concerning High School graduation rates. There are even different results concerning class size reduction. However, the DOE does implicitly acknowledge not achieving significant academic improvement by sixth, seventh and eighth grade students since we have a "Middle School Crisis" task force. These students are the product of one Chancellor, under one Mayor, implementing their policies, thus the results of Mayor Control cannot justify the current system.

In conclusion, CDEC 26 has reviewed the current school governance system and has heard from members of our education community. Based on these, we ask for changes to the current system that reflect our concerns.

Vince indicated that he thought the Chancellors title was anachronistic and that in keeping with Rob's idea that the Department of education should be a full blown City Agency with greater City Council and other oversight the name of the head of the "agency" should be Commissioner just like all other City agencies. Additionally Rob's Borough Chancellors should be titled Borough Commissioners. Instead there is some precedent for Borough Commissioners including Parks and City DOT and this would help ensure that those who held these Borough posts would have a greater understanding of their Borough. The City is too big and too disparate in its challenges, populations and issues and the Borough breakout would be helpful in terms of manageability, administration, accountability.

Patrick McShane concurred that Parks and City Dot have Borough Commissioners for these reasons.

Erik stated that he agreed with the idea of Chancellors who would be appointed by the Mayor upon the advice and consent of the City Council and the Borough President. However, he questioned whether this initial advice and consent would be enough of a check on the Mayor's powers and wondered if we should propose additional control of the Borough Chancellors, by the Council and the Borough Presidents, in addition to the power over the initial selection process. Erik also stated that he felt that we should propose that the District Superintendents have no responsibilities to any schools outside of their districts.

Rob – more clarification regarding the Superintendent will be added.

Rob made a motion to adjourn and Patrick seconded. Members voted unanimously to adjourn. Meeting adjourned 9:00 p.m.

Respectfully submitted by Marian Mason, Administrative Assistant, CDEC